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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/865,714	05/29/2001	Ching-Feng Wang	BHT-3111-169	5941

7590

02/09/2005

DOUGHERTY & TROXELL  
SUITE 1404  
5205 LEESBURG PIKE  
FALLS CHURCH, VA 22041

EXAMINER
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AKPATI, ODAICHE T

ART UNIT	PAPER NUMBER
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2135

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/865,714

Applicant(s)

WANG, CHING-FENG

Examiner

Tracey Akpati

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tagawa et al (6834348 B1).

With respect to Claim 1, the limitation of “a method for safely encrypting transmission data, wherein an access device is connected to the subscriber's end of a network, a series number (S / N) in the access device is used as an encrypting key for encrypting data from said network so that the encrypting data is only downloaded by an access device having said series number, while other users without connecting to said access device can not use said encrypting data” is met on column 1, lines 60-67, column 2, lines 1-9, 14-24. The series number is represented by the identification information. Tagawa et al does not explicitly disclose the encrypted data being downloaded by an access device having a serial number. However, Tagawa et al discloses the encryption key being formed according to an identification number and the encryption key's generation being necessary for the decryption of digital data (column 2, lines 55-59). Hence the presence of a serial number, such as the identification number is a prerequisite for the data being accessed by the user.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have the encrypting data downloaded by an access device having a serial number because an

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identification number is a prerequisite for the given data to be accessed/downloaded for use by the user of the device.

With respect to Claim 2, the limitation of “wherein said access device is a network connecting device for data transmission used in a network, said access device serves to download data from a network or upload data to a network for being used by specific users” is met on column 1, lines 18-28.

With respect to Claim 3, the limitation of “wherein said method is used in playing of MP3 music, the user at first inputs required data and series number; by a servo, data of a music in a database is downloaded and then is encrypted; then said data is transferred back to said user; then, said user downloads said data to an MP3 player for playing said music” is met on column 1, lines 60-67; column 2, lines 1-9, 14-24; and column 13, lines 62-66.

With respect to Claim 4, the limitation of “wherein said method is used in the playing of an electronic book, the user at first inputs required data and series number; by a servo, data of an electronic book in a database is downloaded and then is encrypted; then said data is transferred back to said user; then said user downloads said data to an electronic book player for playing contents in said electronic book” is met on column 6, lines 47-49, 54-67; column 7, lines 1-7; column 2, lines 14-17.

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With respect to Claim 5, the limitation of “connecting to a network through an accessing device and then further connecting to a servo” is met on column 1, lines 18-23; and “inputting a series number of said access device as an encrypting key” is met on column 2, lines 18-21; and “downloading required data from said network and then encrypting said data according to said encrypting key; and then transferring the encrypted data to a user” is met on column 2, lines 18-21; and “transferring the encrypted data to an access device of the user; and receiving said encrypted data by said access device and then decrypting said received encrypted data for being used; wherein in above steps, said data transferred in said network is encrypted, and said encrypted data is decrypted by a access device assigned by said series number” is met on column 3, lines 5-19; and on column 2, lines 35-41, 55-59.

With respect to Claim 6, 8 and 10, the limitation of “wherein said access device is a network connecting device for data transmission used in a network, said access device serves to download data from a network or upload data to a network for being used by specific users” is met on column 1, lines 18-28.

With respect to Claim 7, the limitation of “a method for safely encrypting transmission data used in playing MP3 music through a network” is met on column 13, lines 62-66; and “by connecting through an access device, said series number of said access device being used as an encrypting key for decrypting said encrypting data” is met on column 3, lines 5-19; column 2, lines 55-59; and “wherein the user at first inputs required data and a series number; by a servo of a network, data of a music in a database is downloaded and then is encrypted; then said data is transferred

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back to said user; then, said user downloads said data to an MP3 player for playing said music”  
is met on Fig. 6 and 7 and column 13, lines 62-66.

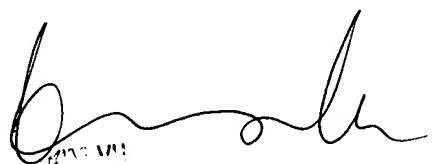
With respect to Claim 9, the limitation of “a method for safely encrypting transmission data used in playing contents of an electronic book through a network; by connecting through an access device, said series number of said access device being used as an encrypting key for decrypting said encrypting data; wherein the user at first inputs required data and a series number; by a servo of a network, data of an electronic book in a database is downloaded and then is encrypted; then said data is transferred back to said user; then, said user downloads said data to an electronic book player for playing contents of said electronic book” is met on column 6, lines 47-49, 54-67; column 7, lines 1-7; and on column 2, lines 14-17.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tracey Akpati whose telephone number is 571-272-3846. The examiner can normally be reached on 8.30am-6.00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

OTA



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